

Child Care Licensing Advisory Committee Meeting
April 18, 2002, Cannon Health Building Room 125
9:00 a.m. – 12:00 p.m.

Members Present: Joyce Hastings; Mavy Ghavim; Deborah Tilley; Gayle Anderson and Sam Nielsen.

Staff Present: Donna Thomas; Rebecca Emerson; Debra Wynkoop; Kimberly Fuit; Tawnee Johnson and Joan Isom.

Members Excused: Sarah Croskell; Mary Ogan; and Vivian Hardy.

Meeting called to order at 9:05.

Welcome :

1. Olympic Pins:

Ms. Wynkoop stated that the Bureau had provided all of the members with a Department of Health Olympic pin.

2. Recruitment:

Ms. Wynkoop asked the Child Care Licensing Advisory Committee to help recruit members for the committee. She explained that the committee needs one health care professional (RN), two individuals representing the residential family, one individual representing family or family group, and one individual representing the consumer. Ms. Wynkoop explained that Ms. Gina Brock resigned.

3. Rule Books:

Ms. Wynkoop informed the committee that the Child Care Rule book had been printed and would be mailed to each of the child care providers over the next few weeks. The checklists have been added so that the provider can self-survey their facility. A summary of the rule changes has been provided with the rulebook.

4. **Sanction Chart:**
Ms. Wynkoop provided sanction charts for the Child Care Licensing Advisory Committee to review and she would be glad to answer any questions pertaining to the charts.
5. **David Eagar:**
Ms. Wynkoop stated that Mr. Eagar, the southern region manager, had taken a position in another department and the Bureau was looking for his replacement.
6. **Certificate of Appreciation:**
Ms. Wynkoop stated that the Certificates of Appreciation have been mailed out. Approximately 30% of all providers received certificates this year. She explained that the center criteria had been changed from last year and that there is a discrepancy by zipcode. Ms. Wynkoop informed the committee that there was an increase of 101 providers this year.
7. **Grants- Lynette Rasmussen Office of Child Care :**
Ms. Rasmussen, Office of Child Care, stated that a Request for Grant (RFG) leaflet had been sent out to all child care providers explaining the grants that are available. There are two different types of grants available. They are the Start-up Expansion Grant which differs for family providers and center providers because of the budget, and the Quality Improvement Grant. The Start-up expansion grant lasts for three years. The provider gets the full amount the first year, the second year 2/3 of the amount and the third year 1/3 of the total amount. The Quality Improvement Grant lasts only one year and is tied to the number of child care slots a provider has. They are also tied to environmental rating scales, which look at the environment children are in. Ms. Rasmussen explained that when the Office of Child Care was determining how to distribute the Childcare Development Money they needed a tool to help them. The environmental rating scale encompassed all of the programs that they reviewed and was at an entry level for accreditation. A committee has been studying the environmental rating scales so that they can be consistent in their assessment. She stated that Thelma Harnes and Debbie Crier will do training to help with their consistency in assessing the centers for grants. The environmental rating scales booklet was sent to each of the child care providers.
8. **Salt Lake Valley Health Department- Neil Checketts:**
Mr. Checketts informed the committee that food establishment inspection is under the jurisdiction of the local health department. In the past some of the inspectors would also do a sanitation inspection of the facility because they have the expertise and they felt like this was one more resource for the facility for information. Mr. Checketts explained that the inspectors will no longer do the sanitation inspection, but will only be doing the food establishment

inspection. He stated that some of the inspectors have limited experience in the general inspection and will be doing some general inspections until they are trained so that when they do go into a child care facility they are qualified to recognize problems and report them to the Bureau of Licensing.

Mavy Ghavim stated that the inspector told her that her facility needed a food service certificate and that her refrigerator and dishwasher were not up to code. She explained that the food is contracted out and all they do is serve it to the children. She has two sinks in the kitchen and that she was told that she could not wash her hands in these sinks that they were for food preparation, but the inspector wanted to know where her soap and towel were. She stated that she no longer knew who to call when there was a problem.

Mr. Checketts stated that when providing food to the public there is a higher standard and the equipment used must be certified. He explained that the state food code is R392-100 and can be found on the state website. He explained that many facilities have old equipment, but when this equipment breaks or there is a change in ownership then the facility needs to upgrade to NSF approved equipment to meet the code. He stated that the facility will be written up for the old equipment because it is a violation of the food, but it is a non-critical violation. The Salt Lake Valley Health department will be recording serial numbers and types of equipment to ensure that facilities are upgrading to equipment that meets the NSF code. Mr. Checketts explained that the food code is not a state code, but a federal code and it is very lengthy and hard to read.

Ms. Tilley stated that it should be the obligation of the local health department to provide a simplified copy of the food code (R392-100) and an explanation of the requirements for the child care facilities. She stated that facilities should be grandfathered in and not be written up for non-NSF approved equipment.

Mr. Checketts explained that the food code does not have a grandfather clause. He stated that there will be a transition period while the food program integrates these inspections back into their program. He suggested to the committee that they address their concerns directly to the Board of Health because he does not have the authority to make or change regulations. He stated that he would work on providing a simplified regulation for child care. He explained that the food program does have a plan review process, which is available to new facilities.

Ms. Wynkoop explained that the ten-hour required training was just a question put on the survey to determine how many people had completed the ten hours of health and safety training provided by the Salt Lake Valley Health Department. Some of the inspectors misunderstood and thought this was a requirement instead of a fact-gathering question.

Ms. Wynkoop stated that any facility under the jurisdiction of Title 26, chapters 39 are not required to have a food manager's certificate.

Mr. Checketts stated that if they had any other questions that he could be reached at 313-6639, or if he wasn't available they could try 313-6620.

Ms. Wynkoop suggested that when their association has their next meeting they should invite Mr. Checketts to answer any other questions about the food code.

9. Approval of Minutes:

A motion was made by Sam Nielson to accept the minutes with no additions of changes. Ms. Anderson seconded the motion. The **MOTION PASSED** unanimously.

10. Child Abuse Data Registry SB 17:

Doug Springmeyer explained that this bill would require, in order to maintain a finding of substantiation, the Department of Human Services would need to take these matters to juvenile court. Under this bill DHS will not be able to make a substantiated finding only a recommended finding. Only the juvenile system will be able to make a judicial finding. The practical impact on the Bureau's ability to screen on child abuse findings will be significant. Mr. Springmeyer explained that the rule was amended last year to clarify which misdemeanors would disqualify an individual from working and that all felony convictions disqualify an individual from working in a child care setting.

Mr. Springmeyer stated under the statute the Bureau of Licensing is only allowed two individuals to access the SAFE system, which lists child abuse perpetrators. He explained that the Bureau will not be able to quickly determine substantiated findings and that when we do find a substantiated finding the Bureau will have to submit a request to DHS to petition Juvenile court for a finding. He explained that SB 17 will lengthen the process of background screening checks. Mr. Springmeyer explained that the juvenile court will be the only vehicle for a substantiated finding.

Ms. Wynkoop explained that the names will drop off the DCFS database but the Bureau should have access to the juvenile courts database, which will have convictions.

11. Pilot Announced Surveys:

Ms. Wynkoop explained that the 36 announced surveys have been completed and the average number of deficiencies was 3. There have been 29 unannounced surveys and the average number of deficiencies was 4.65. She explained that the Bureau is still collecting data.

12. Other Business:

Sam questioned whether the Bureaus are required to have proper identification when they come in for inspections? Ms. Wynkoop stated that all of our licensors have identification.

Ms. Wynkoop explained that a facility can do random drug testing as long as they post the notice and add that to their policy and procedure manual. If an employee showed positive on that testing the Bureau has no jurisdiction.

Ms. Hastings explained that one of the child care owners had one of the parents come into the facility with a gun. This individual is a security guard. They questioned whether they could post a notice or add an addendum into their policy and procedures manual banning guns from the premises? Ms. Wynkoop explained that family providers can post signs and add an addendum to their policy and procedure manual, but centers cannot.

Ms. Tilley made a motion to adjourn the child care licensing advisory committee. Gayle Anderson seconded the motion. The committee meeting adjourned at 10:45 a.m.

Joyce Hasting, Chairperson

Debra Wynkoop, Executive Secretary